

REMARKS

In response to the outstanding Office Action dated January 30, 2007, applicant has carefully studied the Examiner's comments and the references cited by the Examiner.

According to the Examiners instructions, Figs. 4, 5, 7, and 10 have been amended to show the claimed plastic material in the cross sectional view as alternative thick and thin lines. Two substitute sheets of drawings containing Figs. 1-10 are included and a Letter to the Official Draftsman is filed herewith.

Claims 1-19 were previously cancelled.

Claim 20 has been amended.

Claim 22 has been cancelled.

Claims 20, 21, and 23-28 remain in the application for reconsideration by the Examiner.

No new matter has been added.

Reconsideration of the application, as amended, is respectfully requested.

The Examiner rejected Claims 20-28 under 35 USC §112 "as failing to comply with the written description requirement" and "as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention." In particular the Examiner has stated that it is not clear how "the closure projection is caused to dislodge from the container groove" or "how the closure retention means [is] overcome during rotational movement to allow the closure to be removed from the container."

The Applicant directs the Examiner's attention to paragraph 37 of the original filed specification. Paragraph 37 clearly describes how the closure projection is caused to dislodge from the container groove during rotational movement of the closure. The rotational movement of the closure in respect to the container causes "the closure to tilt and elevate with respect to the container." The elevation of the closure "disengages the retention means allowing the closure to be grasped and pulled completely from the retainer." The written description does reasonably convey to one skilled in the relevant art that the inventor had possession of and adequately described the invention as to the manner in which the closure projection is dislodged and the closure is removed from the container.

Further, it is well known in the art that inclined plane means, such as the cooperating screw threads and the cooperating spline and a cam described in the specification and illustrated in the figures, causes an axial movement upon relative rotational movement

therebetween. Based on reading the specification and claims in view of the accompanying drawings, it is obvious to one skilled in the relevant art that the inclined plane means causes a relative axial movement between the parts and the axial movement, also described as an elevation of the closure, results in the projection being dislodged from the container groove.

Accordingly, withdrawal of the rejections under 35 USC §112 is respectfully requested.

The Examiner rejected Claims 20, 23, 27, and 28 under 35 USC § 103(a) as being unpatentable over U.S. Pat. Nos. 3,224,617 to Hohl et al. and 4,387,822 to Lynn. However, the Examiner indicated that Claims 21, 22, 24-26 are allowable subject matter over the prior art of record. Independent Claim 20 has been amended to incorporate the allowable subject matter from Claim 22. Additionally, Claim 22 has been cancelled.

Accordingly, it is submitted that the amended Claim 20 and Claims 21 and 23-28 which depend therefrom distinctly define the applicant's invention and distinguish the same over the prior art of record. Reconsideration of the application is respectfully requested. A Notice of Allowance is solicited.

While the applicant's attorney has made a sincere effort to properly define applicant's invention and to distinguish the same from the prior art, should the Examiner deem that other language would be more appropriate, it is requested that a telephone interview be had with the applicant's attorney in a sincere effort to expedite the prosecution of the application.

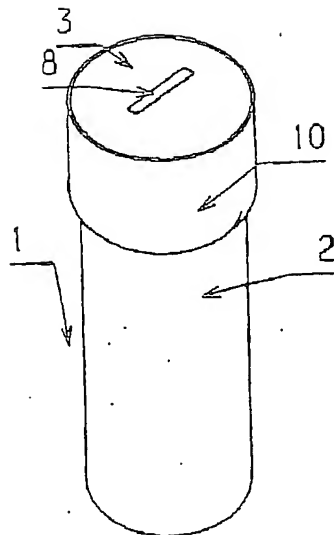


FIG. 1

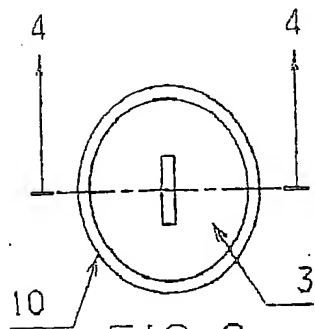


FIG. 2

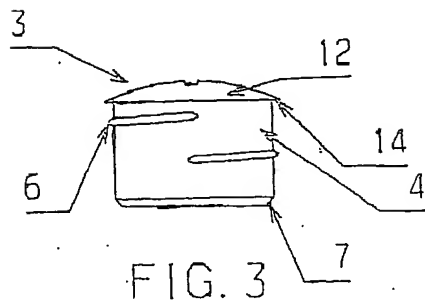


FIG. 3

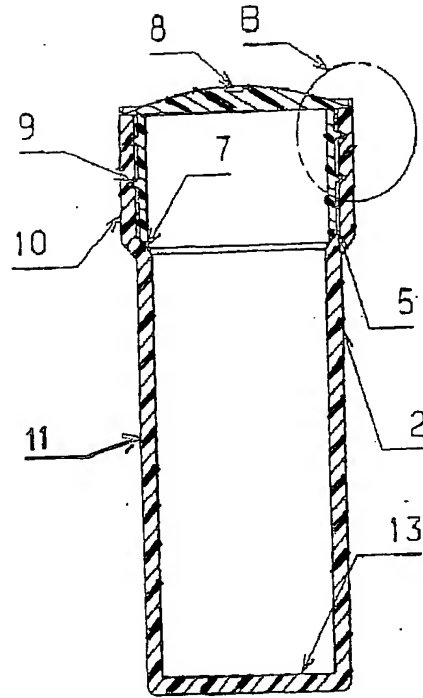


FIG. 4

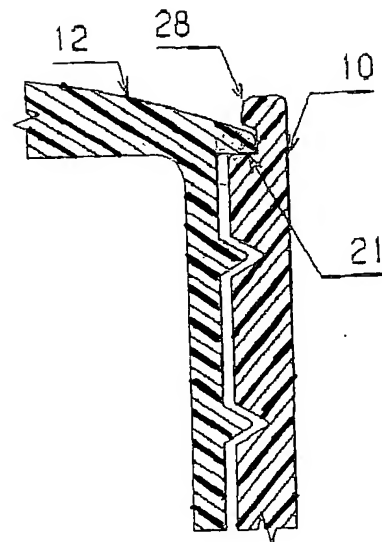


FIG. 5

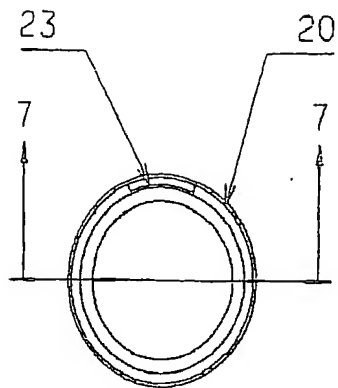


FIG. 6

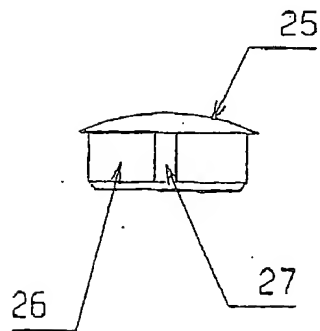


FIG. 8

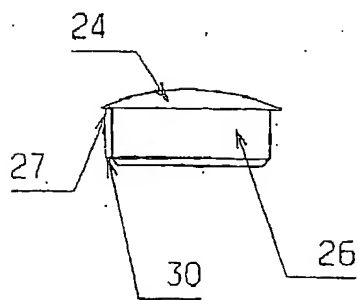


FIG. 9

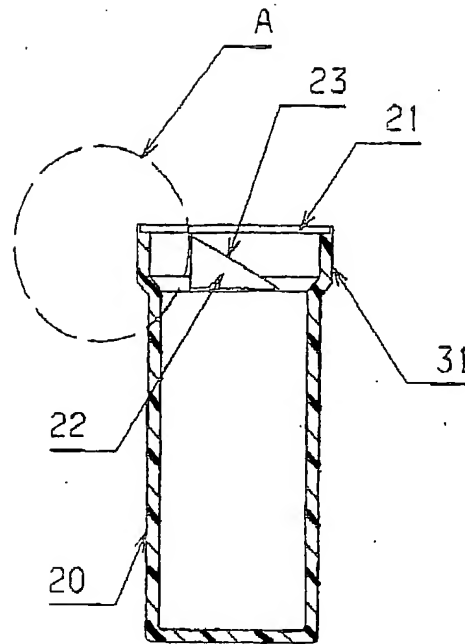


FIG. 7

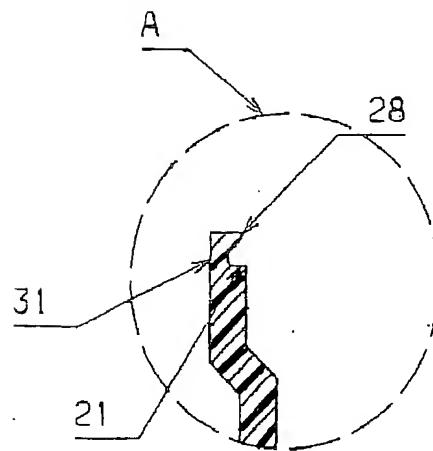


FIG. 10